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dition. The latter subsequently transported the property to Pennsylvania, where the defendant bought it in good faith. Upon removing it to Delaware he was there sued in replevin by the original vendor. The court gave judgment for the defendant. *Fuller v. Webster*, 95 Atl. 335.

In Massachusetts and Delaware a *bonâ fide* purchase from a conditional buyer does not divest the original seller of his right. *Coggill v. Hartford & N. H. R. Co.*, 3 Gray (Mass.) 545; *Watertown Steam Engine Co. v. Davis*, 5 Houst. (Del.) 192. In Pennsylvania it does. *Dearborn v. Raysor*, 132 Pa. St. 231, 20 Atl. 690. Now the rights of a buyer purchasing goods from a conditional vendee should be determined by the law of the place of purchase and not by the law of the state where the conditional vendee had originally obtained the goods. *The Marina*, 19 Fed. 760; *Cooper v. Phila. Worsted Co.*, 68 N. J. Eq. 622, 57 Atl. 733. See WILLISTON, SALES, § 339. But, in the principal case, if the attempted unconditional purchase by the sub-vendee in Massachusetts was a conversion, the sub-vendee acquired nothing which he could convey in Pennsylvania. However, Massachusetts law recognizes a transfer to the sub-purchaser of the conditional vendee's beneficial interest, where the original contract of sale does not prohibit assignment or removal of the article from the conditional vendee's possession. *Day v. Bassett*, 102 Mass. 445; *Chase v. Ingalls*, 122 Mass. 381; *Dame v. Hanson*, 212 Mass. 124, 98 N. E. 589. The attempted sale is treated as an assignment of the beneficial interest, and the analogy of the tortious transfer of, or swollen claim in, a pledge is wisely ignored. For the interest of a conditional vendee, differing from that of a pledgee, is that of beneficial ownership, and entitles its possessor to use the property as his own. See WILLISTON, SALES, §§ 331 *et seq.* But attachment by a creditor of the conditional vendee is a conversion. *Barrett v. Pritchard*, 2 Pick. (Mass.) 512; *Blanchard v. Child*, 7 Gray (Mass.) 155; *Nichols v. Ashton*, 155 Mass. 205, 29 N. E. 519. The distinction would seem to lie in that the attachment process involves the legal title.

CONSTITUTIONAL LAW — DUE PROCESS OF LAW — RIGHT TO CONFER WITH EXPERT WITNESSES. — The plaintiff, who had brought a bill to restrain the defendant, his former employee, from divulging certain alleged secret processes, obtained a preliminary injunction forbidding the defendant from disclosing these processes to expert witnesses whom he intended to call to prove that the processes were well known to the trade. *Held*, that the injunction denied the defendant due process of law. *Masland v. Du Pont De Nemours Powder Co.*, 224 Fed. 689 (C. C. A., 3d Circ.).

To prevent the impairment of a disputed right, a temporary injunction will be granted at the discretion of the court to preserve the *status quo* pending the adjudication of that right. *Alderman & Sons Co. v. Wilson*, 69 S. C. 156, 48 S. E. 85; *Sims v. Sims*, 110 Ga. 283, 34 S. E. 847. But the court in exercising its discretion should consider the effect of granting or refusing the injunction on both parties and take the course which seems most conducive to justice. See *Sampson & Murdock Co. v. Seaver-Radford Co.*, 129 Fed. 761, 771. It is obvious, in the principal case, that the interest which the plaintiff claims would be utterly destroyed by an unrestrained disclosure of the secret processes to witnesses. On the other hand, the right to enjoy due process of law gives the defendant a right to be heard in his own defense. *Harley v. Montana, etc. Co.*, 27 Mont. 388, 71 Pac. 407. To prevent consultation with expert witnesses is to some extent an infringement of that right. Again, the plaintiff's right can be largely protected by an injunction forbidding the witnesses from disclosing the processes pending suit, the injunction to be made permanent if the plaintiff's contention is sustained. Hence, in the conflict of disadvantages which this case involves, the balance of justice is with the defendant and the result of the principal case seems correct. But it may well be doubted that the opposite result

would necessarily involve a violation of the defendant's constitutional right of due process.

CONSTITUTIONAL LAW — PERSONAL RIGHTS — STATUTE RESTRICTING EMPLOYMENT OF ALIENS — INJUNCTION AGAINST CRIMINAL PROSECUTIONS. — An Arizona statute forbade an employer of over five men to hire more than a certain percentage of aliens. The plaintiff, an alien employee, without a fixed term of service, was discharged solely because of this provision. He now brings a bill for reinstatement and to restrain action under the statute. *Held*, that the statute is unconstitutional. *Truax v. Raich*, Sup. Ct. Off., No. 361.

For a discussion of the similar decision of this case in the Circuit Court of Appeals, and the general problem of liberty of contract under the Constitution, see 28 HARV. L. REV. 496. As to the further question of the jurisdiction of the equity court, there is no doubt that equity may restrain criminal prosecutions in order to safeguard property rights. *Dobbins v. Los Angeles*, 195 U. S. 223. See *Davis & Farnum Mfg. Co. v. Los Angeles*, 189 U. S. 207, 218. It is equally well settled that the right of an employee not to have his means of livelihood disturbed is a property right, even where his employment is for no fixed term but at the will of his employer. *Berry v. Donovan*, 188 Mass. 353, 74 N. E. 603; *Perkins v. Pendleton*, 90 Me. 166, 38 Atl. 96.

CONSTITUTIONAL LAW — POWERS OF THE JUDICIARY — ADMIRALTY JURISDICTION — VALIDITY OF TREATIES. — A libel *in rem* was brought in the federal court by an American citizen against a Dutch ship to recover wages earned as a seaman. The owners of the vessel intervene and claim that the court has no jurisdiction, on the ground that a treaty between the United States and the Netherlands gives exclusive jurisdiction over such cases to the consul of the Netherlands. *Held*, that the court has no jurisdiction. *The Albergen*, 223 Fed. 443 (Dist. Ct., Georgia).

By Article VI of the Constitution, treaties regularly entered into by the United States are the supreme law of the land. It is well settled, however, that a treaty has only the dignity of a statute and may be repealed by a later act of Congress. *Taylor v. Morton*, Fed. Cas., No. 13,799; *The Cherokee Tobacco*, 11 Wall. (U. S.) 616; *Thomas v. Gay*, 169 U. S. 264. And whatever may be the international effects of a treaty which conflict with the provisions of the Constitution, it is generally agreed that it will be disregarded by the courts. *The Neck*, 138 Fed. 144. See *The Cherokee Tobacco*, *supra*, 621; *Doe v. Braden*, 16 How. (U. S.) 635, 657. See 1 WILLOUGHBY, CONSTITUTION, 495. Now Article III, Section 2, of the Constitution gives the Federal courts jurisdiction over "all cases of admiralty and maritime jurisdiction" and it seems clear that this provision precludes the state courts from exercising such jurisdiction. See *Martin v. Hunter's Lessees*, 1 Wheat. (U. S.) 304, 337; *The Moses Taylor*, 4 Wall. (U. S.) 411, 428; *Claflin v. Housman*, 93 U. S. 136. See THE FEDERALIST, No. 80; 2 STORY, CONSTITUTION, § 1754; 2 WILLOUGHBY, CONSTITUTION, 1114. But see *The Hine v. Trevor*, 4 Wall. (U. S.) 555, 572. Where the libellant was not an American citizen a treaty giving exclusive jurisdiction to foreign consuls over certain admiralty cases has been upheld. *The Bound Brook*, 146 Fed. 160; *The Koenigin Luise*, 184 Fed. 170. This result offers no difficulties, for the courts of the United States, while they may take jurisdiction over admiralty controversies between foreigners, and ought to take it where justice requires it and international comity permits it, are not obliged to exercise such jurisdiction. *The Bee*, Fed. Cas., No. 1,219; *One Hundred and Ninety-Four Shaws*, Fed. Cas., No. 10,521; *The Ester*, 190 Fed. 216; *The Bound Brook*, *supra*. But it has been held that a treaty cannot operate to deprive an American citizen of his right to a trial in the federal courts when he is involved in an admiralty controversy. *The Neck*, *supra*. See *The Falls of Keltie*, 114 Fed. 357, 359; *The Ester*, 190 Fed. 216, 225; *The Troop*, 117